

Compliance Record Review Document

School Year 2016-2017



Division of Learning Services

November 2016

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Note: Items in bold above are State Performance Plan (SPP) Compliance Indicators

Introduction

The Compliance Record Review Document is based on the requirements of the Individuals with Disabilities Education Act (IDEA) and *Kentucky Administrative Regulations for Special Education Programs* (KARs). The Division of Learning Services (DLS) has wide-ranging reasons for revising this document. They include:

- promoting a consistent standard for districts to use during compliance reviews of student due process folders
- developing a professional learning tool for compliance monitoring
- having a data collection document to accurately collect information required for KDE's federal State Performance Plan and Annual Performance Report (SPP/APR)
- establishing a consistent tool for use during the DLS consolidated monitoring process

The intent is to ensure not only compliance with the IDEA requirements, but also to facilitate results-driven accountability (RDA) to improve student outcomes. For further explanation of the RDA framework, click [here](#).

For more information on documenting requirements, see the [Infinite Campus Student Information System](#) for Special Education Data Standards.

Directions for Review of Records

In order to yield accurate information, student records must be selected randomly. Random means records are not preselected. Selecting the record of every third, fifth or tenth student from the district's current special education enrollment is one means of random selection. Random also means that records are selected from a variety of schools, teachers, case managers and categories of disability. For assistance in obtaining true random numbers, visit [Random.org](#). The web site contains a true random number generator.

For Indicators 11, 12 and 13, at least 10% of the district's special education population related to the indicator must be selected for the review to be valid. For more information on the State Performance Plan (SPP) indicators, click [here](#).

A minimum of 10 files must be reviewed. If the district has 10 or fewer students that are covered by the indicator, all student records for that item must be reviewed. For example, if the district has eight students referred to its preschool program from First Steps, all eight records must be reviewed. Large districts are not required to review more than 50 records.

For Indicator 11, at least 10% of students evaluated during the current year must be chosen at random and their records reviewed. This includes both students determined to be eligible for specially designed instruction and those found not eligible for special education.

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Correction of Noncompliance

Violations of IDEA that can be corrected

During the record review process, districts may find items in student records that are violations of IDEA. Some of these violations may be corrected, depending on the nature of the violation.

In most cases, it will be necessary to convene an ARC to correct the violation. If the ARC convenes to correct the violation, the ARC's documentation must reflect authentic, appropriate processes and corrections.

Only Indicator 13 records can be corrected prior to submission of the data to the KDE. If the record is corrected prior to submission to KDE, the record is considered to be in compliance.

Examples of violations that may be corrected prior to KDE submission include:

- failure to document postsecondary goals in the IEP (#49a)
- failure to document transition services in the IEP (#49b)
- failure to invite outside agencies (with prior consent) to the ARC meeting to discuss transition (#49c)
- failure to document the student's multi-year course of study (#49e)
- failure to link annual goals to related postsecondary goals (#49f)
- failure to document evidence of transition assessment (#49g)

Violations of IDEA that are reported as noncompliance

Some violations of IDEA identified during the district's record review cannot be corrected in individual student records due to the nature of the violation. This includes Indicators 11, 12 and parts of Indicator 13, as specified below:

- not obtaining parent consent prior to inviting outside agencies to the ARC meeting (#49d)
- not inviting the student to the ARC meeting (#49h)
- missing the timeline for updating postsecondary goals annually (#49i)
- not having transition requirements in the IEP by the student's 16th birthday (#50)
- missing the timeline for initial evaluation (#53)
- missing the timeline for annual review (#32)
- missing the timeline for an IEP being in place by the third birthday for children transitioning from First Steps to preschool (#31b)

Though these violations cannot be corrected, the district must remedy the noncompliance in the individual student's record. For example, failure to meet the timeline for an IEP in place by the child's third birthday cannot be corrected; however, it can be *remedied* for that student by ensuring an IEP is in place, even though late.

If the student is no longer under the district's jurisdiction, individual noncompliance cannot be corrected.

Violations found in the due process files of two or more students in a district are deemed systemic. Documentation of systemic correction is required in addition to individual correction of noncompliance, according to [OSEP Memorandum 09-02](#). In the case of a systemic violation, the KDE randomly selects student folders from the district. The KDE then verifies whether the record review item in question for *all* folders randomly reviewed is in compliance. If the item is correct for all student folders, the KDE has ensured systemic correction has occurred, pursuant to [OSEP Memorandum 09-02](#).

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Demographic Information (Required)

**Kentucky Compliance Record Review Document
(Including Reporting Requirements for SPP/APR)
School Year 2016-2017**

Reviewer's Name _____

Date _____ / _____ / _____

Student's Name _____

Student's DOB _____ / _____ / _____ Grade _____

Race/Ethnicity ☐ Hispanic/Latino ☐ American Indian/Alaska Native
☐ Asian ☐ Black /African American
☐ White ☐ Native Hawaiian or Other Pacific
☐ Two or More Races Islander

Disability _____

School _____

District _____

Mark box below for the age range of the student:

- ☐ Preschool child (exiting Part C)
☐ Child (age 3-15)
☐ Child (age 16 or older)

Mark box below for the meeting purpose:

- ☐ Initial Referral/Eligibility
☐ 3-Year Reevaluation
☐ Annual Review
☐ Other _____

Notes: _____

Review the ***most current*** information from the student's record to document compliance.

Confidentiality of Information
[707 KAR 1:360 Section 2](#)

Items 1-3

Note: Individuals included in the district's list of employees with legitimate educational interests under the Family Educational Rights and Privacy Act (FERPA) are not required to sign the Record of Access.

A Record of Access is in the record and includes method for documenting:	Yes	No
1. The name of the party seeking access		
2. The date access was given, AND		
3. The purpose for which the party is authorized to use the record(s)		

Comments:

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Notice of Admissions and Release Committee (ARC) Meeting
[707 KAR 1:320 Sections 3 and 4](#)

Items 4 -14

Notice of Admissions and Release Committee Meeting form; Infinite Campus Contact Log	Yes	No	NA
<p>4. The LEA provides a written invitation to the parent(s) at least seven calendar days before an ARC meeting.</p> <p>NOTE: This also applies to initial ARC meetings for preschoolers transitioning from First Steps. <i>Mark NA if documentation shows</i></p> <ul style="list-style-type: none"> • <i>the parent(s) requested or agreed to meet earlier; or</i> • <i>if the meeting is for a safety issue or a change in placement due to a violation of a code of student conduct.</i> 			
<p>5. There is documentation of the district's attempts to arrange a mutually-agreed-upon time and place.</p> <p>NOTE: If the parent does not attend; did not return the Notice of Admissions and Release Committee Meeting with their intentions; <u>and</u> there is no documentation of multiple attempts to contact the parent or emancipated student. This may include documentation of a phone calls, copies of correspondence sent to parents or detailed records of visits to home or parent's place of employment. <i>Mark NA if documentation shows that the parent(s) requested or agreed to meet earlier; the meeting is for disciplinary change in placement or a safety issue; or if the parent(s) returned the copy of the notice stating their intention for attendance.</i></p>			
6a. The purpose of the meeting			
6b. For children who are in 8th grade or age 14 and older, the purpose of the meeting indicates the ARC discussion of postsecondary needs, postsecondary services or both.			
7. The time of the meeting			
8. The date of the meeting			
9. The location of the meeting			
10. The role of participants attending the meeting			
11. An option for the parent(s) to note the need for alternative meeting times, dates, locations and means of participation			
12. A statement informing the parent(s) they may bring persons to assist them in the meeting			

Notice of Admissions and Release Committee Meeting form; Infinite Campus Contact Log	Yes	No	NA
13. For children transitioning from First Steps , an invitation to the initial ARC meeting is sent to the First Steps Service Coordinator or other representatives of the Part C system if the parent requests.			
14. For children who are in 8th grade or age 14 and older: the child is invited to the meeting.			
NOTE: This requirement applies to a student who has reached the age of 14 and has not reached 8 th grade.			

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ARC Membership
707 KAR 1:320 Section 3

Items 15-23

Note:

- Attendees must **sign** the Conference Summary form.
- Dually certified personnel in grades K-12 may not serve in multiple roles. For example, a special education teacher who is also certified in regular education cannot serve as the special education teacher and the regular education teacher.
- The word “parent” is used to refer to the parent as defined in [707 KAR 1:002 Section 1 \(43\)](#); or emancipated youth, if the student is 18 or older.

Notice of Admissions and Release Committee Meeting; KY EVAL or Conference Summary	Yes	No	NA
<p>15. Parent in attendance, OR</p> <p>In cases where the parent did not attend, documentation shows that <u>all</u> of the following occurred:</p> <ul style="list-style-type: none"> • Parents received written notification of the meeting. <p style="padding-left: 40px;">_____ Yes _____ No</p> <ul style="list-style-type: none"> • Parents were offered alternative meeting time and location. <p style="padding-left: 40px;">_____ Yes _____ No</p> <ul style="list-style-type: none"> • Parents were given the opportunity for alternate means of participation (informal conference, phone conferencing, e-mail, home visit, survey). <p style="padding-left: 40px;">_____ Yes _____ No</p> <ul style="list-style-type: none"> • Parents were sent a copy of the IEP and ARC Conference Summary (as indicated on ARC Conference Summary by <u>method and date</u>). <p style="padding-left: 40px;">_____ Yes _____ No</p>			
16. A regular education teacher of the child			
<p>17. A special education teacher of the child, OR a special education teacher knowledgeable of the suspected disability OR Speech/Language Pathologist (SLP) if Speech/Language only</p> <p>Preschool teacher:</p> <ul style="list-style-type: none"> • May serve as regular and special education teacher if the preschool teacher is Interdisciplinary Early Childhood Education (IECE) certified, AND the ARC documents the person served both roles by noting IECE after signature. 			

Notice of Admissions and Release Committee Meeting; KY EVAL or Conference Summary	Yes	No	NA
18. A representative of the school district, qualified to provide, or supervise the provision of specially designed instruction, knowledgeable of the curriculum and district resources			
19. An individual who can interpret the instructional implications of evaluation results who may be a member of the team described in sixteen through eighteen (16-18)			
NOTE: The individual may be a diagnostician, psychologist, SLP, teacher or administrator who can interpret assessment results.			
20. Related services personnel, as appropriate			
21. For children who are in 8th grade or age 14 and older , the child is involved in the ARC process relative to transition planning. Documentation shows that the following occurred: <ul style="list-style-type: none"> The student attended the meeting OR _____ Yes _____ No If the student did not attend, other steps were taken to ensure that the student's preferences and interests were considered. _____ Yes _____ No 			
22. If a member of the ARC is excused from attending the ARC meeting in whole or in part, the parent and the district agree to the excusal in writing prior to the meeting . NOTE: The statement must be dated prior to the meeting and signed by the parent(s) and district representative.			
23. If a member of the ARC is excused, the member must submit input into the development of the IEP in writing to the parent(s) and the ARC, if the member's area of curriculum or related service is to be modified or discussed in the meeting. Input must be submitted prior to the meeting . NOTE: This input must be dated prior to the meeting and signed by the parent(s) and district representative.			

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Notice to Parent(s)
707 KAR 1:340 Sections 3 and 4

Items 24-29

Note:

- If relevant discussion occurs in the ARC meeting that is not reflected in any section of the Conference Summary form, the discussion **must** be documented in the Conference Summary minutes.
- Information used that is not included on the evaluation list is listed as “Other.”
- If an evaluation or reevaluation was conducted, the relevant descriptions must be marked.
- For any annual review meeting, “Student Progress in Achieving IEP Goals,” must be a basis for the action.

KY EVAL or Conference Summary	Yes	No	NA
24. A <u>description</u> of each evaluation procedure test, record or report used as a basis for proposed or refused action, including: <ul style="list-style-type: none"> • Boxes are checked for each evaluation procedure, test, record or report the district used as a basis for the proposed or refused action. • A description of assessment instruments and procedures is included. 			
25. A <u>description</u> of the action proposed or refused			
26. An <u>explanation</u> of why the LEA proposed or refused to take action			
27. A <u>description</u> of any other options and reasons those options were rejected			
28. A <u>description</u> of any other factors related to the LEA’s proposal or refusal			
29a. A statement that the parents have protection under the procedural safeguards (Parent Rights) and, if this is not an initial referral for evaluation, the means by which a copy of the Parent Rights can be obtained			
29b. A copy of the procedural safeguards notice (including parent’s rights) are given to the parents of a student with a disability at least once per school year. A copy of the notice shall also be provided to the parent: <ul style="list-style-type: none"> <input type="checkbox"/> Upon initial referral or parent request for evaluation <input type="checkbox"/> Upon receipt of the first state written complaint <input type="checkbox"/> Upon receipt of the first filing of a due process hearing in a school year <input type="checkbox"/> In accordance with discipline procedures (change in placement) <input type="checkbox"/> Upon request by a parent 			

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**Preschoolers Transitioning from Part C
34 CFR 300.124, 300.323 and 300.101
707 KAR 1:300 Section 1(3) and 707 KAR 1:320 Section 3(6)**

Items 30-31b

IFSP signature page or KY EVAL or Conference Summary with LEA representative signature	Yes	No	NA
<p>30. For preschoolers transitioning from Part C (First Steps), a district representative participated in transition conferences arranged by First Steps.</p> <p>Note: This is First Steps' transition meeting that must occur at least 3 months prior to the child's third birthday. This is not a district meeting. It usually takes place in the child's home.</p>			
31a. For preschoolers transitioning from Part C, the IFSP was considered in developing the IEP.			
<p>31b. For children exiting Part C, documentation shows the IEP was developed and implemented by the child's third birthday.</p> <p>NOTE: "Developed and implemented" means that the ARC met to develop the IEP by the child's third birthday. If the birthday occurs during the summer, the IEP start date may be the first day of the following school year.</p> <p>Child's birth date: _____</p> <p>IEP development ARC date: _____</p>			

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IEP
34 CFR § 300.320, 707 KAR 1:320 and
707 KAR 1:350 Section 1

Items 32-47

Note:

- Infinite Campus IEP uses the term, “End Date,” instead of Review Date.
- Explanations and definitions for items in the IEP can be found in the [Guidance Document for IEP Development](#).

IEP, KY EVAL, Conference Summary, Progress Monitoring Data	Yes	No	NA
<p>32. The ARC conducts a review of the IEP annually (within the calendar year) to determine whether the annual goals for the student are being achieved and revises the IEP as appropriate.</p> <p>NOTE: Mark NA if child has been receiving special education less than one year.</p> <p>Start and end dates of last two IEPs:</p> <p>1. _____</p> <p>2. _____</p>			
<p>33. The student’s Present Levels of Academic Achievement and Functional Performance, including how the disability affects involvement and progress in the general curriculum (or, for preschool, participation in appropriate activities)</p> <p>NOTE: Each area must include the strengths of the student, results of the initial or most recent evaluation or results of any state or district-wide assessments. The ARC must include progress monitoring data in the Present Levels section of the IEP for students who are already identified as a student with a disability, OR</p> <p>The area is marked commensurate with peers, or not an area of concern.</p>			
33a. Communication Status			
33b. Academic Performance			
33c. Health/Vision/Hearing/Motor Abilities			
33d. Social and Emotional Status			
33e. General Intelligence			
33f. Functional Vision/Learning Media/Assessment (KRS 158.282)			
33g. Functional Hearing, Listening and Communication Assessment 707 KAR 1:320 Section 5 (1)(d)			

IEP, KY EVAL, Conference Summary, Progress Monitoring Data	Yes	No	NA
33h. Transition Needs (<u>for children in 8th grade or age 14 and older</u>) NOTE: There must be a minimum of one area (instruction; related service; community experience; development of employment and other postsecondary adult living objectives; and, if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation) addressed. It must align with the child's ILP. (704 KAR 3:305)			
33i. A summary statement, included in the Present Levels, of how the child's disability affects the child's involvement and progress in the general curriculum. This can be noted within each area of concern or one summary statement for all areas.			
34. Consideration of Special Factors are completed for the following areas and are consistent with information provided in the Present Levels .			
34a. Behavior			
34b. Limited English Proficiency			
34c. Blind or visually impaired			
34d. Communication needs			
34e. Deaf or hard of hearing			
34f. Assistive technology needs (reference 707 KAR 1:290, Section 7)			
35a. Statement of measurable annual goals NOTE: Measurable annual goals must relate directly to the Present Levels and meet the child's academic and other educational needs that result from the disability, AND must include all of these components: <ul style="list-style-type: none"> <input type="checkbox"/> (a) audience (student's name) <input type="checkbox"/> (b) behavior <input type="checkbox"/> (c) circumstances <input type="checkbox"/> (d) degree/criteria <input type="checkbox"/> (e) <i>evaluation/method of measurement</i> (or included in item 36) <input type="checkbox"/> (f) frequency of data collection 			

IEP, KY EVAL, Conference Summary, Progress Monitoring Data	Yes	No	NA
<p>35b. Evidence of progress data collection and analysis for each annual goal</p> <p>NOTE:</p> <ul style="list-style-type: none"> • Data collection must match the frequency defined in each annual goal. • Each data point must include a date. • On-going progress data may be kept in a separate location from the due process folder, as long as the evidence of final analysis (cumulative graphs, charts, checklists) and the written summary of the analysis are added to the student's due process record when the IEP is reviewed. • Any supporting evidence not uploaded to IC must be available upon request of the reviewer during the DLS consolidated monitoring process. <p>Mark NA if this is an initial IEP and prior to the first data collection requirement outlined in the goal(s).</p>			
36. Statement of how the child's progress toward annual goals will be measured (<i>method of measurement</i>)			
37. Statement of Specially Designed Instruction (SDI)			
38. Statement of when the parent(s) will be regularly informed of progress toward the goals			
39. Statement of Supplementary Aids and Services (SAS)			
NOTE: This section cannot be left blank.			
40. Consideration of Individual Accommodations for Administration of State Assessments, District Assessments, and Assessments in the Classroom (703 KAR 5:070) is documented.			
41a. Statement of decisions and reasons for meeting the requirements for Alternate Assessment Program			
<p>41b. If the student meets requirements for the Alternate Assessment Program, student's current level of communication has been determined and verified by the ARC.</p> <p>NOTE: Documentation shows the ARC determined Performance Dimension A or Performance Dimension B.</p>			
<p>41c. If the student meets requirements for the Alternate Assessment Program, documentation in the IEP shows evidence of a <i>communication plan</i> for Performance Dimension B.</p> <p>NOTE: The communication plan may be documented in the Present Levels, Special Factors or Supplementary Aids and Services areas of the IEP.</p>			

IEP, KY EVAL, Conference Summary, Progress Monitoring Data	Yes	No	NA
<p>42. Statement of program modifications and supports for school personnel to be provided for the student to:</p> <ul style="list-style-type: none"> • advance appropriately toward attaining the annual goals • be involved and progress in the general curriculum • participate in extracurricular and other nonacademic activities and • be educated and participate with other students with or without disabilities <p>NOTE: If the ARC determined the student does not require program modifications or support for school personnel, then “not needed” may be documented on the conference summary.</p>			
43. Least Restrictive Environment (LRE)			
43a. An explanation of the extent, if any, to which the student will not participate with nondisabled students in regular education classes.			
43b. The ARC considered potentially harmful effects of the placement on the student or the quality of services.			
<p>43c. Documentation shows that removal of the student from the regular educational environment occurs only if education in the regular education environment with the use of supplementary aids and services cannot be satisfactorily achieved due to the nature or severity of the disability.</p> <p>NOTE:</p> <ul style="list-style-type: none"> • Documentation shows that placement in regular class is the first placement option considered. • This includes a statement for the reason services cannot be provided in the regular educational environment. 			
44. Special education services			
44a. Anticipated frequency of service			
44b. Anticipated amount of time (duration)			
44c. Projected beginning and ending dates			
44d. Anticipated location(s)			
45. Related services			
45a. Anticipated frequency of service			
45b. Anticipated amount of time (duration)			
45c. Projected beginning and ending dates			
45d. Anticipated location(s)			
46. The ARC considered extended school year (ESY) services according to individual student need. (707 KAR 1:290, Section 8)			
47. The ARC considers the concerns of the parent(s) in the development of the IEP. (KY EVAL, Conference Summary or Present Levels of IEP)			

Comments:

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Transition Services
707 KAR 1:320 Section 7

Items 48-52

IEP, KY EVAL, Conference Summary, Conference Summary Minutes	Yes	No	NA
<p>48. For students in the 8th grade or age 14 and older, the student has a multi-year course of study needed to assist the student in reaching postsecondary goals.</p> <p>NOTE:</p> <ul style="list-style-type: none"> Multi-year means at a minimum from the current year to the student's expected year of exiting high school. The student's multi-year course of study must be in alignment with the student's ILP as required by 707 KAR 1:320, Section 7 (1). Discussion of the review of the student's multi-year course of study must be documented in the KY EVAL or Conference Summary. 			
<p>49a-i Complete this section for students who are 16 years of age or older.</p> <p style="text-align: center;">State Performance Plan Indicator 13 Kentucky Transition Requirements</p> <p>NOTE:</p> <ul style="list-style-type: none"> ARCs can use student profiles from statewide testing (<i>Your Plans</i> and <i>Your Career Possibilities</i>) as well as ILP information (<i>Careers that Interest Me</i>) to inform decisions about postsecondary goals and transition services. The student profiles also include information from the student about their self-assessed needs (<i>Your Reported Needs</i>). If, on the day of the review of the student's record, the student is 16 years old, the transition requirements must be met. This requires the ARC to address the transition requirements when the student is 15 years old, if the student will turn 16 by the next annual review meeting. 			
<p>49a. The IEP includes appropriate measurable postsecondary goals aligned to other available student information, such as Present Levels, student interests or preferences, related to:</p> <p>1. Training or education (Required) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2. Employment (Required) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3. When appropriate, independent living skills <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p>			
<p>49b. The IEP includes transition services that are needed to assist the student in reaching postsecondary goals.</p> <p>NOTE: The ARC must document specific transition services needed and the agency responsible for each service under the post-secondary goal.</p> <p>For examples of transition services, see Indicator 13 Requirements.</p>			
<p>49c. For transition services likely to be provided or paid for by another agency, the other agency is invited to send a representative, if appropriate.</p>			

IEP, KY EVAL, Conference Summary, Conference Summary Minutes	Yes	No	NA
<p>49d. If an agency was invited to send a representative, a prior written Consent for Outside Agency Invitation signed by the parent is included.</p> <p>NOTE: The parent's signature must be updated with the student's signature when the student reaches the age of majority.</p>			
<p>49e. As a transition service, the student has a multi-year course of study needed to assist the student in reaching postsecondary goals.</p> <p>NOTE:</p> <ul style="list-style-type: none"> The student's multi-year course of study must be in alignment with the student's ILP as required by 707 KAR 1:320, Section 7 (1). All grade levels must be filled in on the multi-year course of study. Multi-year means at a minimum from the current year to the student's expected year of exiting high school. In the event the student is an out-of-state transfer or is identified after the ninth grade year, the multi-year course of study begins at that point. Discussion of the review of the student's multi-year course of study must be documented in the KY EVAL or Conference Summary. 			
<p>49f. Annual goal(s) included in the IEP are related to the transition service needs.</p> <p>NOTE:</p> <ul style="list-style-type: none"> <u>Education or Training and Employment</u> MUST be checked. <i>Independent Living</i> is checked when appropriate. If the IEP includes only one annual goal, the goal must address both Education or Training and Employment. If the IEP includes more than one annual goal, the ARC may check Education/ Training in one or more goals and Employment in one or more goals. If the area of Independent Living is appropriate, a goal must be included to address this area. <p> <input type="checkbox"/> Education/Training (Required) <input type="checkbox"/> Employment (Required) <input type="checkbox"/> Independent Living (When appropriate) </p>			

IEP, KY EVAL, Conference Summary, Conference Summary Minutes	Yes	No	NA
<p>49g. Measurable postsecondary goals are based on age-appropriate transition assessment.</p> <ul style="list-style-type: none"> Assessments may include: behavioral assessment information, aptitude tests, interest and work values inventories, intelligence tests and achievement tests, personality or preference tests, career maturity or readiness tests, self-determination assessments, work-related temperament scales and transition planning inventories. The record includes documentation that age-appropriate transition assessment data were used to provide information on the student's needs, strengths, preferences and interests regarding each postsecondary goal. <p>NOTE: Age-appropriate means the measure reflects the student's chronological age rather than developmental age</p>			
49h. The student is invited to the ARC meeting where transition services are discussed.			
49i. The measurable postsecondary goals are updated annually.			
50. For students who have reached the age of 16 and older, all of the requirements for Item 49 (a-i) are met			
<p>51a. At least one year prior to the student reaching the age of majority, the IEP includes a statement that the student and parent have been informed of the student's rights and that the rights will transfer to the student upon reaching the age of majority.</p> <p>NOTE: The age of majority in Kentucky is 18.</p>			
<p>51b. The KY EVAL (Initial, Reevaluation, Other) or Conference Summary includes documentation of prior notice for the student if graduating from high school with a regular high school diploma.</p> <p>NOTE: Graduation constitutes a change in placement.</p>			
52. For students graduating or aging out, documentation shows the student was provided a summary of the student's academic achievement and functional performance, including recommendations on how to assist the student in meeting postsecondary goals. 707 KAR 1:300 Section 4			

Comments:

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Timelines
[34 CFR 300.124](#) and [300.323](#),
[707 KAR 1:300 Section 4 \(16\)](#),
[707 KAR 1:320 Section 1 & 2](#), and
[707 KAR 1:340](#)

State Performance Plan Indicator 11

Items 53-56

Consent for Evaluation form; Consent for Services form; Notice of Admissions and Release Committee Meeting; KY EVAL; Conference Summary; Eligibility Determination form	Yes	No	NA
<p>53. For students initially referred during the current (reporting) school year, the ARC completed the evaluation within 60 school days from receipt of Consent for Evaluation.</p> <p>NOTE: <u>All referrals</u> must be considered as part of the random review of records, including referrals for students not found eligible for IDEA services.</p> <p>Mark NA if:</p> <ul style="list-style-type: none"> • The parent(s) of a student repeatedly (more than two times) fails to produce the student for the evaluation, or • The student transfers to the school district after consent for initial evaluation is given but before the evaluation is completed. <p>Date of consent for evaluation: _____</p> <p>Date of ARC for eligibility determination: _____</p> <p>Date of consent for services: _____</p> <p>If beyond timeline, indicate number of school days: _____</p> <p>If beyond timeline, indicate ARC's reason for delay:</p> <p><input type="checkbox"/> parent repeatedly failed or refused to produce the student for evaluation</p> <p><input type="checkbox"/> student transferred from another district and parent and district agreed to extension date</p> <p><input type="checkbox"/> other (reason entered from IC dropdown box) _____</p>			
<p>54. Within the 60 school-day period, an LEA shall ensure the ARC meeting to develop an IEP for a student is conducted within 30 days of the determination that the student is eligible.</p> <p>Date of eligibility ARC meeting: _____</p>			

Consent for Evaluation form; Consent for Services form; Notice of Admissions and Release Committee Meeting; KY EVAL; Conference Summary; Eligibility Determination form	Yes	No	NA
Date of IEP development: _____			
<p>55. The ARC conducted a reevaluation in the current (reporting) year within three calendar years from the date of the last Eligibility ARC meeting.</p> <p>Date of previous Eligibility ARC Meeting: _____</p> <p>Date of current Eligibility ARC Meeting: _____</p> <p>NOTE:</p> <ul style="list-style-type: none"> • This may consist of a review of existing data. • Mark NA if there was no reevaluation needed in the current year. 			
<p>56. The IEP is in effect at the beginning of the school year.</p> <p>NOTE: Mark NA for a student not eligible at the beginning of the school year.</p>			

Comments:

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Initial Evaluation and Reevaluation
707 KAR 1:300

Item 57-65b

Notes:

- Documentation of progress data must be attached that includes evidence of delivery of the research-based intervention and instruction by qualified personnel provided in the regular education setting (targeted area of concern, strategies/interventions, impact on targeted area).
- The intervention services must be instructional (example - phonetic instruction in reading). Instruction does not include accommodations such as preferential seating or extended time.

<ul style="list-style-type: none"> • Referral form with documentation of instruction and interventions implemented • Data-based documentation of repeated assessments • Conference Summary - Consent to Evaluate/Reevaluate and KY EVAL • Multi-Disciplinary Evaluation Report and Classroom Observations • Social-Development History, Adaptive Behavior Assessments, Rating Scales 			
Yes No NA			
57. The ARC reviewed a Referral for Multi-Disciplinary Evaluation, including documentation of instruction and interventions, prior to conducting a full and individual evaluation.			
NOTE: Item 57 is only completed for an initial evaluation. Mark NA for reevaluation.			
57a. The referral form is complete.			
57b. Documentation shows the student was provided:			
_____ Yes _____ No Appropriate, relevant research-based instruction and intervention services			
_____ Yes _____ No Delivered in regular education settings			
_____ Yes _____ No Delivered by qualified personnel			
57c. Documentation shows:			
_____ Yes _____ No Data-based documentation of repeated assessments of achievement, behavior, or both.			
_____ Yes _____ No Collected and evaluated at reasonable intervals			
_____ Yes _____ No Results of repeated assessments provided to parents			

- **Referral form with documentation of instruction and interventions implemented**
- **Data-based documentation of repeated assessments**
- **Conference Summary - Consent to Evaluate/Reevaluate and KY EVAL**
- **Multi-Disciplinary Evaluation Report and Classroom Observations**
- **Social-Development History, Adaptive Behavior Assessments, Rating Scales**

	Yes	No	NA
<p>58. The ARC identified a suspected disability and planned an appropriate evaluation as documented on Consent to Evaluate/Reevaluate form.</p> <p>_____ Yes _____ No A <u>review and analysis</u> of the referral information, AND</p> <p>_____ Yes _____ No the information was sufficient to support a suspected disability, AND</p> <p>_____ Yes _____ No the assessment components necessary to assess the student were documented</p>			
<p>59. The ARC conducted a full and individual evaluation in all areas related to the suspected disability.</p> <p>NOTE: For a review of data for a reevaluation, mark YES if the ARC documented a full review and analysis of the existing data.</p>			
<p>60. The ARC used a <i>variety</i> of assessment tools and procedures to determine if the student has a disability and to determine an appropriate educational program.</p> <p>NOTE: For a review of data for a reevaluation, mark YES if the ARC documented a full review and analysis of the existing data.</p>			
<p>61. The ARC provided and administered the assessment in the native language or mode of communication appropriate for the student, OR documentation exists that it was clearly not feasible.</p>			
<p>62. The ARC considered evaluations and information provided by the parents.</p>			
<p>63. The ARC included a discussion of:</p> <ul style="list-style-type: none"> • current classroom-based, local or state assessments • classroom observations • observations from teachers and related service providers 			
<p>64. The ARC conducted a full and individual evaluation prior to implementing special education services.</p>			

- **Referral form with documentation of instruction and interventions implemented**
- **Data-based documentation of repeated assessments**
- **Conference Summary - Consent to Evaluate/Reevaluate and KY EVAL**
- **Multi-Disciplinary Evaluation Report and Classroom Observations**
- **Social-Development History, Adaptive Behavior Assessments, Rating Scales**

	Yes	No	NA
65a. If the ARC determines additional <u>data is not needed</u> for a reevaluation, the ARC documents the review of existing data including: <ol style="list-style-type: none"> 1. Evaluations and information provided by the parents (if available); 2. Minimum of two classroom-based observations (*one for SLD) by teachers and related services providers; 3. One or more of the following: <ul style="list-style-type: none"> ○ Current classroom-based assessment data ○ Local assessment data ○ State assessment data NOTE: Based on a finding of an appeal of a formal complaint, SLD will only require one observation.			
65b. Notifies parent(s) of the reasons the ARC is not conducting a reevaluation, AND informs parent(s) of their right to request an assessment.			

Comments:

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